

MANAGEMENT AUDIT

of the

PERSONNEL DEPARTMENT

PART II

DEPARTMENTAL ACTIVITIES OTHER THAN  
OCCUPATIONAL HEALTH AND SAFETY

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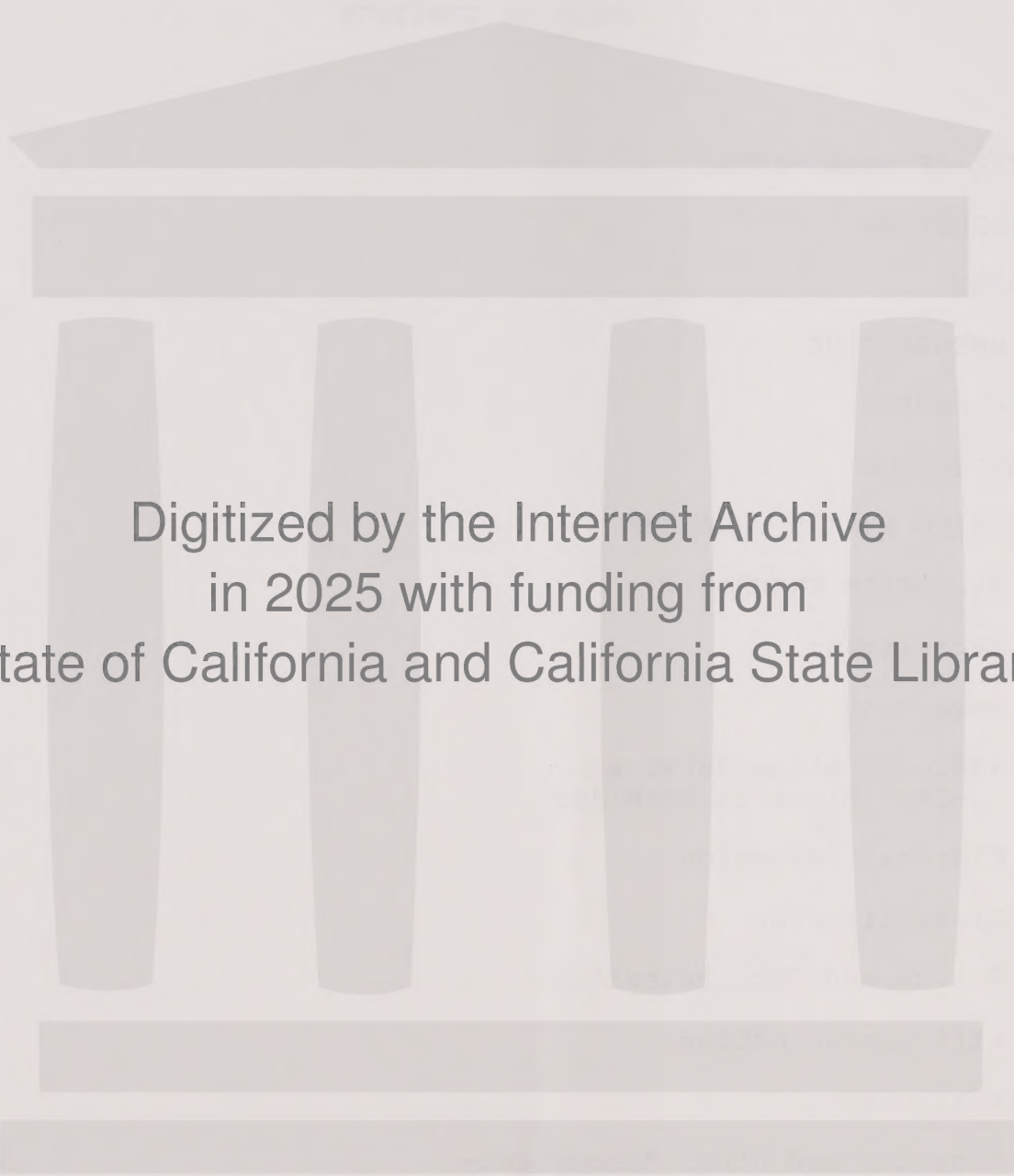
Robert E. Chase  
Acting City Administrative Officer

December, 1979



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# CITY OF LOS ANGELES

CALIFORNIA

C. ERWIN PIPER  
CITY ADMINISTRATIVE OFFICER



ROBERT E. CHASE  
JOHN R. COOMBS  
WILLIAM R. MCCARLEY  
JEROME R. SELMER  
THOMAS K. SHIELDS

ASST. CITY ADMINISTRATIVE OFFICERS

TOM BRADLEY  
MAYOR

December 14, 1979

The Honorable Council of the  
City of Los Angeles

The Honorable Tom Bradley  
Mayor of the City of Los Angeles

The Honorable Board of Civil Service  
Commissioners of the City of Los Angeles

Mr. John J. Driscoll, General Manager  
Personnel Department

Transmitted herewith is Part II of the Management Audit of the Personnel Department. This Section along with Part I issued in November, 1979 was initiated in the normal course of events in furtherance of City Charter Section 53 for the purposes of examining operational compliance and evaluating the efficiency and effectiveness of the Department.

The recommendations contained in the Report have been divided into three categories to facilitate consideration as follows:

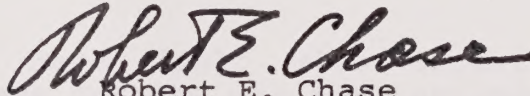
1. "Requiring Changes to the City Charter."
2. "Requiring Mayor/Council Action."
3. "Requiring Departmental Action."

The General Manager is requested to submit a report in four months to the City Administrative Officer detailing the progress achieved in implementing the recommendations of the Audit Report. My Office will then prepare an evaluation of the progress with appropriate recommendations, and transmit it with the Department's progress report to the Mayor and Council for information and necessary action.



The Management Audit of the Personnel Department was directed under my supervision by John R. Coombs, Assistant City Administrative Officer, and Daniel J. McGowan, Chief Administrative Analyst. Members of the Audit Team were Jeffrey D. Druyun, Russell E. Johnson, William L. Kroner and Virginia N. Morrill.

Very truly yours,

A handwritten signature in cursive script, reading "Robert E. Chase".

Robert E. Chase  
Acting City Administrative Officer

REC:DJM:gje

cc: Each Member of the City Council



## INTRODUCTION

This report represents Part II of the second Management Audit of the Personnel Department as it is now constituted. The first Management Audit took place in 1972. A report on Part I of this Audit was released in November 1979, and dealt with those units of the Personnel Department performing occupational health and safety activities.

Part II of this Management Audit Report covers those units involved in the Selection Process including recruitment, classification, examining, affirmative action and specialized police and fire selection. Also covered are the Department's administrative services, training and miscellaneous personnel services.

Prior studies have dealt with aspects of the City's personnel system, and some matters are not included herein. The Council's Task Force on Workforce Economy and Productivity covered topics such as the need for a Management Service (under study by the Department), and Civil Service Commission involvement in discipline and the level of City training effort. These issues therefore are not covered in this report.



## SUMMARY

The Personnel Department is charged with the responsibility of performing a wide variety of personnel services for City departments and, under the direction of the Civil Service Commission, plays a significant role in the administration of the City's merit system. This system is established in the City Charter and amplified by Civil Service Commission Rules. The City's system is geared toward the prevention of abuses, and consequently contains substantial constraints on personnel actions by managers, both in the Personnel Department and in other City departments. The price of these constraints is a rigid monolithic system which fails to adequately perform one of the primary personnel functions, the timely filling of vacant positions. One of the first steps in the conduct of the Audit was a "client survey" in which department managers were invited to comment upon relationships with the Personnel Department. Delays in conducting examinations and filling positions were mentioned almost universally as a negative factor. Also mentioned was the managers' perception of the high quality of the Personnel Department staff. The obvious conclusion supported by Audit findings, is that a problem exists which is, in large part, beyond the control of the Department. No substantial changes to the examining system have been made, while the environment has changed greatly. Changes to the total system have been discussed or recommended in a number of prior reports. Certain Charter changes recommended herein are needed to reflect current conditions and to make the personnel system more effective. In addition, steps must be taken to resolve the conflict (perceived by many operating managers) between the service role of the Personnel Department and its mandated "watchdog" responsibilities.

The most basic change in powers and duties involves the recognition of current realities in the field of employee relations. Matters involving terms and conditions of employment are appealable by represented employees under negotiated grievance procedures or through the meet and confer process. A duplicate avenue of appeal exists, under current Charter



provisions, to the Civil Service Commission. The Charter should be amended to eliminate this duplication. The Civil Service Commission should retain the responsibility for disciplinary appeals for non-represented employees as well as those related to the examination process and complaints of discrimination for any reason.

Another basic change would strengthen the oversight role of the Civil Service Commission by designating the General Manager as head of the Personnel Department. The removal of administrative responsibilities will permit concentration by the Civil Service Commission on the vital role of maintaining the merit system and guarding against abuses. The General Manager will then be able to focus on the efficient and effective provision of personnel services without the role conflict problem noted above, resulting in overall improved delivery of centralized personnel services for the City.

The selection process is too slow. Despite some innovative efforts on the part of Personnel Department management, the time required to process examinations and fill vacancies remains a subject of constant complaints.

The basic conclusion reached in the course of this management audit is that the examination itself is expected to perform an unrealistic precise ranking function, and that this basic problem is at the core of the many problems affecting the process. The examination process can distinguish between qualified and unqualified candidates with reasonable validity, and may be able to rank groups of candidates within broad categories such as outstanding, very good, and satisfactory. However many eligible lists contain large number of candidates separated by tenths (and sometimes hundredths) of a percentage point including non-merit factors such as seniority and military credit. This distinction is artificial, yet the present "rule of three" further restricts the selection process until it assumes aspects of a lottery.

Broadening the "rule of three" would improve line manager's ability to select people qualified for a particular position, could enhance affirmative action efforts, and would result in more equitable selection for all candidates. The General Manager, in connection with a Productivity Task Force effort, suggested whole scores as a method of implementing a broadened certification policy. This appears viable, although it may have to be modified for small eligible lists.



Another area of the selection process which requires modification is the philosophy of one examination for one class. A modular approach has been used in some examinations for related classes, but a substantial expansion of that concept is needed. It should be possible to design examinations which would qualify people, especially at the entry level, for several eligible lists. The concept is used elsewhere, one example being the Federal Service Entrance Examination. We believe that this concept can be implemented within existing Charter provisions.

Protest periods for all phases of examinations are required under current Civil Service Commission Rules. Resolution of these protests is a significant time consuming component of the examination process. Civil Service Commission Rules recently were amended to improve the criteria for filing protests, and protests are not allowed on validated portions of examinations. Review Committees of qualified personnel have been established for written examinations in some cases. If a broadening of the "rule of three" takes place, the pressure on the written examination may lessen, and permit the substitution of such a committee for individual candidate protests.

Another step which could lead to the more rapid filling of positions is a re-evaluation of the use of emergency appointments. Such temporary appointments, pending examination results, can fill positions relatively quickly, but are alleged to bias interview scores in favor of appointees. Managers have indicated to us that emergency appointments often have been limited to situations where affirmative action purposes can be served. It appears that the Personnel Department position should be modified and the legal status of emergency appointments clarified through discussions with the City Attorney and a definitive opinion secured.

The Personnel Department has attempted to speed up the examination process through increased use of validated tests and single stage examinations, and through use of an Examination Master Calendar for predictably recurring needs. These are positive steps and should be continued.

Audit findings indicate that the filling of clerical vacancies is extremely difficult. While this situation is not confined to City government, certain practices compound the problem. Many positions classified as Clerk Typist perform little or no typing. Only 50% of those passing the clerical aptitude test pass the typing test. The City thus loses many potential employees who could perform the actual duties of many



positions. The Department has conducted a City-wide survey of clerical positions, and it is anticipated that recommendations resulting from that survey should rectify this problem.

The policy of consolidating classes has had mixed results in expediting the selection process. While the number of examinations is lower than would otherwise be, these examinations are often more complex and may attract greater numbers of candidates.

Several organizational changes are recommended. The merger of the Police and Fire Selection Unit into the Equal Employment Opportunity Division would focus affirmative action efforts. The unit determination function is more appropriately located in the Office of the City Administrative Officer. Upon implementation of the recommended Charter amendment transferring jurisdiction for represented employees' disciplinary appeals and terms and conditions of employment to the meet and confer process, the logical ultimate location for the Classification Division is the Office of the City Administrative Officer. The Management-Employee Relations Division requires a name change to Employee Development and Training Division to better reflect its responsibilities.

The recommendations of this report are structured in a fashion that permits some immediate improvements in the selection process. However, major changes involving Charter amendments are necessary to bring the City's personnel system up to date and maximize its efficiency and effectiveness.



## RECOMMENDATIONS

### REQUIRING CHANGES TO THE CITY CHARTER

That the Mayor and Council take steps to present to the electorate, City Charter amendments which would:

1. Establish the General Manager as head of the Personnel Department.
2. Provide that disciplinary appeals and rules regarding terms and conditions of employment for represented employees be subject to the meet and confer process under the Employee Relations Ordinance rather than under jurisdiction of the Civil Service Commission and transfer responsibility for position classification to the Office of the City Administrative Officer.
3. Redefine the responsibilities of the Civil Service Commission to include examination related appeals and hearing of discrimination complaints for all employees, and disciplinary appeals for non-represented employees only.
4. Provide that the present "rule of three" in the Charter be replaced with a provision whereby the Personnel Department shall, on a case by case basis, determine the rule for the number of eligibles to be certified for vacant positions in order to provide an appropriate number of qualified candidates.

### REQUIRING MAYOR/COUNCIL ACTION

5. Transfer responsibilities and resources for administration of all CETA activities, except for employment of persons in City departments, to the Community Development Department to eliminate duplication.
6. Establish as policy that CETA funds are, to the maximum feasible extent, to be redissemiated to the private sector



and to other governmental agencies; direct elimination of current City CETA personnel authorizations by attrition and by transferring employees to private non-profit employers in order to maximize productivity of regular City employees.

7. Establish as policy that a stoppage of the public business and/or an extraordinary exigency exists under Charter Section 109 at any time there is no list of eligibles for a class, when the positions in a duly authorized and funded position(s) cannot be filled by alternate means, and when the appointing authority certifies the necessity to fill the position(s), and that the Civil Service Commission amend its rules accordingly.
8. Transfer the responsibility for unit determination under the Employee Relations Ordinance from the Personnel Department to the City Administrative Officer.

#### REQUIRING DEPARTMENTAL ACTION

That the General Manager:

9. Proceed toward consolidating examinations for entry level classes requiring similar skills, with resultant placement of passing candidates on several eligible lists, and increase the current use of modular tests where this is possible.
10. Give priority to job analysis which would permit the above consolidated examinations.
11. Upon implementation of a broadening of the "rule of three", prepare a system to allow the use of performance appraisals in promotional examinations.
12. Implement the following organizational changes:
  - a. Place Medical Services Division under the direction of an Assistant General Manager (recommended in Part I);
  - b. Place the Police and Fire Selection Unit under the Equal Employment Opportunities Division;
  - c. Change the name of Management-Employee Relations Division to Employee Development and Training Division.
13. Proceed with reclassification of clerical positions to reflect actual duties, and implement Recommendation No. 9 by



insuring that any employee passing a clerical aptitude test has the opportunity to be on one or more clerical eligible lists.

14. Give priority to the information systems activity requested in the 1980-81 Budget, devoting internal resources to the definition of personnel service information systems needs.
15. Establish a rule permitting establishment of a new eligible list prior to expiration of an existing list in situations where the existing list is determined not to contain candidates with qualifications for a specific vacant position.
16. Upon adoption of the recommendations of this report, study the organization and position classification structure of the Department, and prepare a proposal to implement changes appropriate for the Department's revised duties and role.



## BASIC POWERS

The Civil Service Commission, as the head of the Personnel Department, is empowered, "...to supervise, control, regulate and manage the Personnel Department and to make and enforce all necessary and desirable rules, and regulations therefor and for the exercise of the power conferred upon the Personnel Department by the Charter."

These powers manifest themselves in two distinct ways, the management role and the appellate role. These roles involve a built-in conflict, as the management role involves the fast, effective and efficient provision of personnel services to the City departments, while the appellate role calls for a "watchdog" or oversight function. This ambiguity of role extends to the staff of the Personnel Department, which has been criticized for being too rule-oriented and for not providing timely service, most notably in the filling of vacant positions through the examination process. Such criticism is inevitable under the current structure of powers and duties.

The staff of the Department is generally conceded to be of high quality, yet the primary personnel service, timely filling of vacant positions, is not provided in a reasonably effective and efficient manner. Much of the reason for delays in the selection process stems from the legal constraints imposed by the Charter, but at least some aspects of the problem can be attributed to this role conflict. The section of this report covering the selection process treats these matters in detail.

The solution to the problems resulting from conflicting roles is not one of simply adjusting attitudes on the part of Personnel Department staff. Their rule enforcement duties are mandated under the current authority structure. A more definite and basic change is needed. This change has been proposed before in the City and has been implemented in some form in other jurisdictions, including the Federal Civil Service Reforms recently enacted. The oversight and service roles must be separated in order to maximize the effectiveness of each.



Accordingly, the General Manager should be designated as head of the Personnel Department. This will require an amendment to the City Charter. In this amendment, the Commission's responsibilities for oversight of the examination process and the hearing of appeals on disciplinary and examination matters would remain essentially the same, with one important exception. The advent of the meet and confer process in City Employee Relations has changed many of the realities underlying the current system. Terms and conditions of employment are now contained in memoranda of understanding between the City and employee representation units. Among these terms are some duplicated by Civil Service Commission rules. For example, each MOU contains a grievance procedure under which terms and conditions of employment may be appealed, constituting a double avenue of appeal for represented employees. There have been several unfair labor practice actions filed which involve changes to the CSC rules, wherein bargaining units have charged that failure to meet and confer constitutes a violation of the City's Employee Relations Ordinance.

Transfer of the responsibility for disciplinary appeals and the establishing of rules regarding terms and conditions of employment for represented employees from the Civil Service Commission to the meet and confer process under the Employee Relations Ordinance would recognize today's realities in the field of Employee Relations and eliminate a double avenue of appeal for represented employees. It should be noted that the CAO has recommended this action in a prior report dated April 15, 1979 (C.F. 76-3636). The Employee Relations Task Force, in a report dated October 14, 1977, made a similar recommendation, and the Council's Task Force on Workforce Economy and Productivity in a report dated July 18, 1979, also recommended this step.

The Civil Service Commission would retain jurisdiction over examination-related appeals and discrimination complaints of any type from all City employees. Disciplinary appeals would be limited to those filed by nonrepresented employees. The Commission's responsibility for protection of the merit system can be carried out more effectively. Personnel Department staff should continue to prepare reports on contested items. The appeal process, observed during numerous Commission meetings, is essentially an adversary proceeding in fact, if not in theory. Implementation of the recommendations of this report should resolve several problems and bring the City's personnel system into line with current realities and practices, while continuing to provide an avenue of appeal for employees and protection against abuse of the system.



## ORGANIZATION

The most basic change in organization, the designation of the General Manager as department head, is discussed elsewhere in this report. This report section will summarize proposed organizational changes within the department. The detailed rationale for such changes appears in the report section discussing the involved organizational unit.

Personnel Department organization for 1979-80 is substantially improved over prior years. The number of units reporting directly to the General Manager, rather than through an Assistant General Manager, has decreased from five to two. The grouping of activities under the Assistant General Managers corresponds mainly to activities involving the selection process for one position, and other personnel services for the other. This is a logical organizational approach and should be retained.

The Medical Services Division, as recommended in Part I of this report, should be placed under the direction of the Assistant General Manager position in charge of occupational health and safety activities to provide improved coordination.

The Police and Fire Selection Unit, as a result of a consent decree and pending litigation, is performing essentially affirmative action activities. This unit should be merged with the Equal Employment Opportunities Division, an organization with similar objectives, to establish a viable size division under the direction of the Assistant General Manager concerned with the selection process. Merger of either or both of these units with the Recruitment Division is a possibility due to related objectives. Such a transfer is not recommended at this time, but could be considered if the need for severe expenditure reductions occurs.

Management-Employee Relations Division (MERD) appeared at the outset of the Management Audit to be somewhat small to be a viable division, especially in view of a collection of duties which logically could be performed elsewhere. However, the increased emphasis on CETA training makes the retention of this



Division necessary at present. The name of the division should be changed to Employee Development and Training to reflect its current emphasis and eliminate an acronym which seemed to draw derogatory reactions from employees.

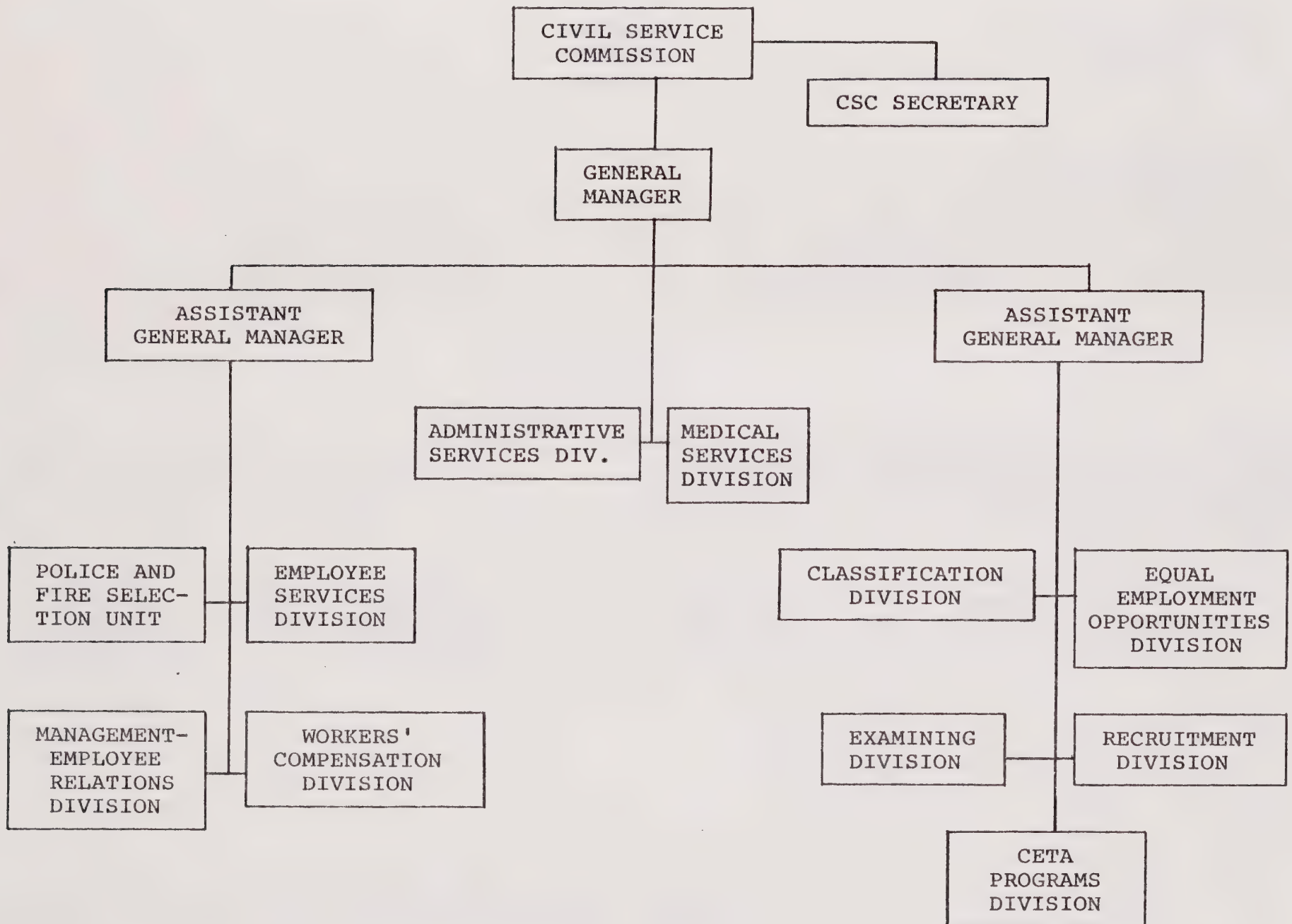
The employee bargaining unit determination functions of this division should be transferred to the City Administrative Officer because these duties are more related to the work there. Upon implementation of the Charter change recommended to bring represented employees under jurisdiction of the Employee Relations Ordinance, the Classification Division should be transferred to the Employee Relations Division of the Office of the City Administrative Officer. This would end duplication of the paygrade/Civil Service class conflict from employees and unions seeking pay increases and strengthen the City's management position.

Administrative Services Division should continue to report directly to the General Manager. Considerations for retaining this relationship, rather than reporting through an Assistant General Manager, include the desirability of independent reporting for the Department's chief financial and budget officer, and the increased (and necessary) attention to departmental systems work envisioned in the Department's 1980-81 Budget request.

The attached current and proposed organization charts show the recommended changes.

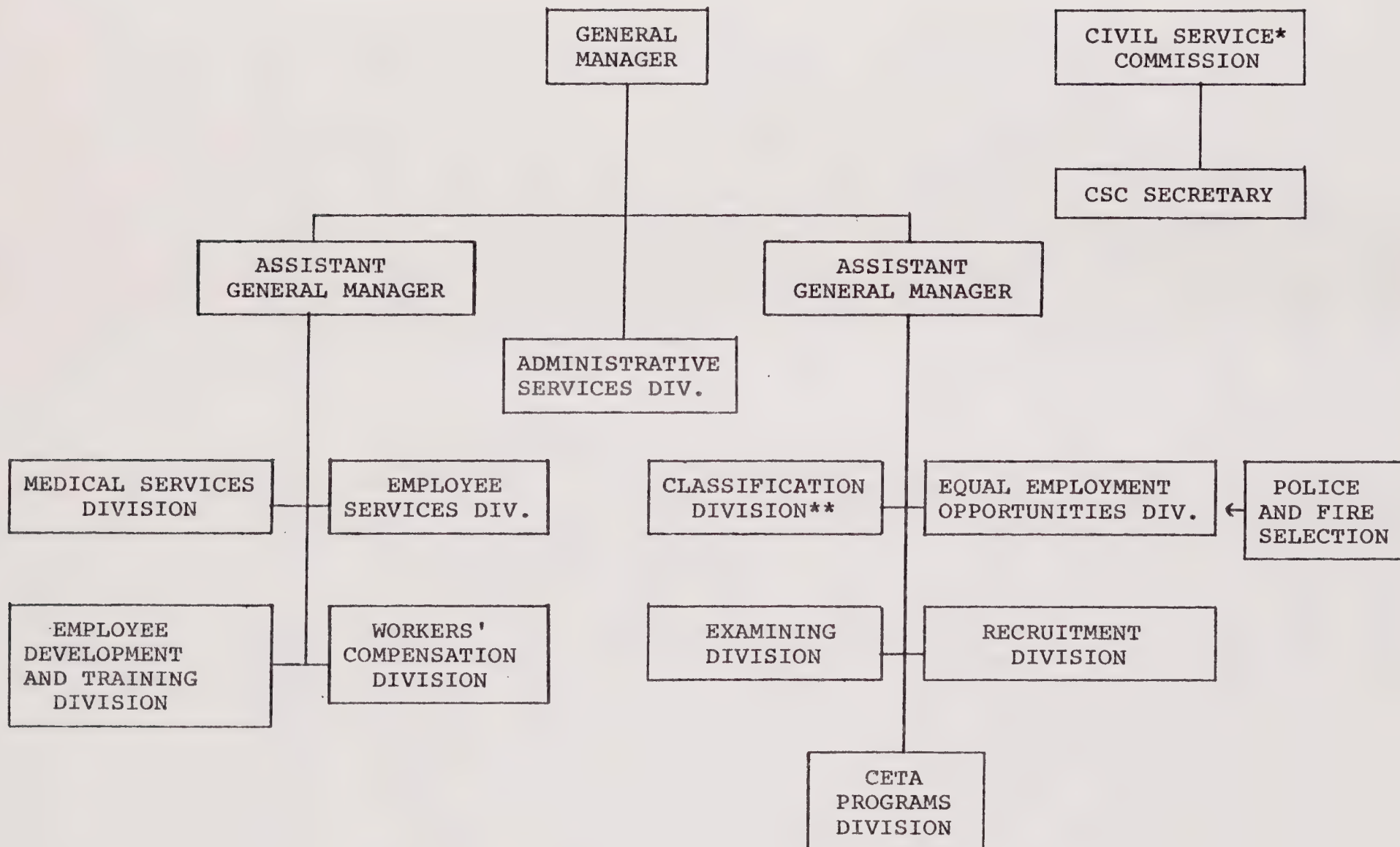


C U R R E N T    O R G A N I Z A T I O N





P R O P O S E D    O R G A N I Z A T I O N



\*Upon passage of Charter amendment

\*\*Transfer to CAO upon passage of Charter amendment



## SELECTION SYSTEM PROBLEMS

### Concerns of City General Managers, Personnel Officers, and Others

Early in the audit of the Department, a series of discussions and interviews were held with general managers, their assistants, personnel officers of the various departments and others concerned with the personnel selection activity and the operations of the Personnel Department and its Commission. From these discussions, a list of criticisms of the Department, the Commission, and the rules under which both the Department and the Commission operate was generated. Compliments were also noted. Leading the list of problems described by general managers and personnel officers was the length of time required to fill vacancies, the length of time required for the examining process, the inflexibility of the certification process where several months may be required before a list is completely certified, and apparent deterioration of the quality of candidates that are on lists as well as the unwillingness of many of the candidates to accept positions.

Other concerns included the inability of departments to make emergency appointments when no list existed because the staff of the Personnel Department refuses to permit such an appointment unless it was to further Affirmative Action goals, a perception of Civil Service Commission interference with disciplinary matters as well as broadening of the rules and regulations intended to restrict departmental appointing authority's discretionary acts. Manager after manager described regulations and restrictions formulated by the central personnel agency as effectively eliminating any managerial prerogatives. Further, these managers indicate that the program goal of the department, to provide adequate numbers of qualified candidates to meet the City's manpower needs, is not the goal that they perceive the department achieving. The enforcement of the Civil Service Rules appeared to take precedence over whether qualified candidates are on lists and whether the lists are provided in a timely manner. Many departments tend to perceive the Personnel Department as nonresponsive to the needs of departments, and tending to act more as a police operation rather than a central staff agency attempting to meet the operating needs of the City department.

Various managers, personnel officers, and other administrators were quick to point out that individual staff members of the Personnel Department are bright, appear to be



aggressive and attempt to help meet some of the operating department needs. Notwithstanding individual effort of some and attempts to innovate better selection techniques, the various managers indicate that attempts to obtain appropriate (by department standards) position classification, provide for changing job requirements, obtain certification lists, examinations, etc. in a timely manner is not being achieved.

Of particular note is the frustration managers have with some of the classical Civil Service classification and examining philosophy that draw a distinction between an incumbent's personality, attitude, and abilities, and the duties and responsibilities of the position or job itself. Managers believe that individuals bring with them traits, attitudes, etc. that are desirable, cannot be well-defined or identified with written or oral examinations, but can play a significant role in effectively operating an activity or department. To this end, the departments would like to acknowledge skill, ability, initiative, and performance of individuals, but because the classification system and its resulting examination process only considers duties and responsibilities of positions without any regard to initiative, creativity, or similar traits, it is impossible to examine for these. Under the present system there is absolutely no way to reward outstanding performance. As a result, this may greatly inhibit the effective management of a department.

The basis for such a system may be the Personnel Department's perception that its role is to maintaining purity of the merit system by excluding any possibility of favoritism (positive or negative) that would accrue from the use of performance evaluations. This effort even extends to the point of using "outside raters" to a substantial degree. These raters are required to select people whose relative merit is unknown for unfamiliar jobs they may not be familiar with and for which the rater have no responsibility or accountability. Compounding this problem is the use of interview boards of differing composition for a single eligible list.

#### Major Criticisms of Merit or Civil Service Systems by Those Outside the City System

In recent times the size, rate of growth, and relative unresponsiveness of governmental operations and agencies have prompted numerous studies, both public and private, of merit and civil service systems. The recent study and reorganization of the Federal Civil Service is one such study. Another study entitled "Improving Productivity in State and Local Government"



by the Research and Policy Committee of the Committee for Economic Development, published November, 1978, makes it abundantly clear that the merit systems do not function according to merit principles. The points expressed therein mirror the concerns expressed by City management staff. The following summarizes a number of deficiencies of the civil service or merit systems commonly cited by those in the public or private sector:

- a. Recruitment is slow, unimaginative, and unaggressive. Where private companies and some Federal agencies actively seek out and attract top talent, many personnel operations in the State and local levels are mired in red tape and a passive bureaucratic tradition which dictates that anyone who is attracted by a general recruitment announcement (bulletin) will be examined, tested and ranked on a list for eventual use in appointing top candidates. This is generally true of the recruitment effort expended for all but a few of the very top positions in the City.
- b. Selection procedures inhibit the hiring of the most qualified people. Examination processes including written, oral, performance and other types of tests, often yield an average overall score for individual candidates that vary by fractions of a percentage point from each other and are based on answers to test questions that may bear little resemblance to the work that will eventually be performed by the successful candidate or is based on interview by people who know little or nothing of the candidate's past performance, the job requirements, or the uniqueness or desirable traits that an incumbent of a specific position should have. Further, because of protracted examining procedures, notification periods, protest periods, and review periods, the length of time between the issuance of an announcement of examination and the certification of the list of candidates may be so long that the highest caliber applicants who may have sought a civil service job had to take a job elsewhere because the merit system proceeded so slowly. This slow, time-consuming testing process may also thwart affirmative action efforts. Members of designated minority groups who are unemployed and desire to work will not likely wait for the "system" to complete its processes and will, if motivated, seek employment elsewhere.
- c. Promotions based on criteria unrelated to future performance. Although many merit systems were originally conceived and constructed primarily as mechanisms to prevent political patronage and abuses, subsequent reliance on written test



score, oral test scores, plus such preferential criteria as seniority credit for past service or military credit, may have resulted in a process that is outwardly objective and immune to political pressure but may have little or no correlation with the performance required for success in the new job. This may be most evident in the elevation of personnel from "worker" occupations to supervisors and managers. The typical selection procedure for promotional positions does not now provide for any consideration of current job performance. Another problem that results from excessive reliance on the so-called merit system of testing, evaluating, scoring, ranking, etc. is the belief that those candidates who score highest on the examination are the best qualified and, as a result, this belief may intimidate others who must evaluate the candidate's performance during the probationary period.

- d. Restrictions of the Classification System prevent the reward of superior performance. The various merit systems provide for an orderly and analytical method of creating job categories which typically provide for lengthy approval procedures. Further, the classification criteria revolve around duties, responsibilities of the job and without regard to personalities or individual abilities. The Classification System is discussed in more detail in another section of this report.
- e. Conflicting public goals dilute merit principles. Current public policy requires preferences for filling government jobs with veterans, seniority preference for current employees, and special recruiting efforts to improve minority representation. These preferences may be desirable, but may be at odds with the merit principles. Another section of this report will deal with this as it applies to the recruitment of minority police officer candidates.

Notwithstanding the above criticism and shortcoming of the merit system, we must keep in mind that the original intent of the merit system was to utilize a system other than patronage or favoritism to select government employees. The history of government service in the past was a system of fast, imaginative, and aggressive recruitment. The patronage system filled vacancies quickly, selection procedures were not inhibited by principles or classification systems requirements, and discipline, when it was used, was swift and permitted no appeals. The merit system was intended to prevent patronage and the abuses



that it caused and to establish a more rational means of employee selection.

However, these regulations constituting the City's civil service system, while preventing patronage from being instituted in Los Angeles, have likewise prevented the establishment of an efficient and service oriented selection process. It is evident from the managers' complaints and from other examples and studies conducted of other civil service systems, that the City must strike a better balance between preventing patronage and allowing managers and professional supervisors to fill vacancies. There must be more room for judgement, experience and managerial discretion in the selection of employees based on performance, individual initiative, individual ability, as well as technical expertise.

Against this back drop of conflicting goals and desires, an analysis of the selection activity was conducted. Included in the analysis was the recruitment effort, Civil Service Rules, operating policies, equal opportunity and affirmative action goals, and Charter requirements. The purpose was to identify a means by which the selection process could be made more responsive to the needs of managers and supervisors and still utilize merit principles as the basis for selection. The original purpose and intent of the City Charter must be remembered throughout any discussion of modifications to the system now used. As indicated above, the system is designed to prevent abuses when selecting individuals for City jobs. To insure that these abuses do not occur, much of the screening, recruiting and selection process was taken away from the employer (the department who will utilize the services of the selected individual) and placed in the hands of an independent agency (Civil Service or Personnel Department) without operating responsibilities.

As the system grew more complex, the notion may have developed that the selection and screening process performed by the merit system was so comprehensive as to be more important than the probationary period. The examining process in most cases has a good deal of face validity and/or job relatedness, however, many job knowledge examinations given by the City may not be a good predictor of actual performance on the job. Instead examinations are a means by which candidates can earn a numerical score that can be used later to rank them for certification purposes. Actual performance can only be determined during a probationary period. Notwithstanding an individual's placement on the list, the true test of whether the



individual possesses the technical and other difficult-to-measure qualities for satisfactory performance can only be determined by a knowledgeable supervisor. If the review of the work output is insufficient or is less significant than the initial screening, then the true test of whether or not the employee can perform is lost.

### Managerial Flexibility

Any change proposed to the current system of examining candidates for City positions must provide more managerial flexibility and should relax the current rules designed to prevent patronage and favoritism. Under some viewpoints, any change that would provide more flexibility would be undesirable. On the other hand, managers need a degree of flexibility to exercise judgement on the selection of subordinates, universally recognized as a key management function. Managers must be able to exercise prerogatives in order to place subordinates of their selection in appropriate positions to perform work for which the manager is held accountable.

Any decision or goal that the City may wish to pursue relative to increasing managerial decision-making ability and flexibility affecting appointments, is in great measure dependent upon how much latitude and accountability managers shall have for the actions and performance of their departments. Presently, the civil service system or merit system provides almost no latitude for a manager.



## THE SELECTION PROCESS

### Recruitment

The Recruitment Division is but one link in the selection process, activated by the approval of Bulletins prepared by the Examining Division to announce and to solicit applicants for positions in a class for which the Examination Division will conduct examinations. A simplified explanation of the process may place Recruitment's role in perspective.

- A. The Administrative Services Division becomes aware that a List of Eligibles is needed by being unable to fill positions from an exhausted list, a list from which Departments will not appoint, or by a Department asking for an examination in a class having a single or limited number of positions and for which there is no list of eligibles.
- B. The Examining Division devises a written/performance/oral examination, or some combination thereof.
- C. The Examining Division, or Classification Division, if there has been substantial change in the class requirements, proposes a Tentative Bulletin for the examination.
- D. The Civil Service Commission approves the Bulletin.

The Recruitment Division initiates recruitment efforts, and begins accepting applications for employment in the class.

- (1) For promotional examinations the staff checks the computer run for the class being examined for to determine what the minority/female representation is in that class. If the class is under-represented in minorities or females the composition of the feeder classes is checked to determine the likelihood of improving representation through the proposed examination. The EEO Coordinators in the Departments where those feeder class minorities are employed are asked to notify personally those eligible minority and female persons to file for the examination. If for some reason the Departmental EEO Coordinator is unwilling to



provide this special notification service, the Personnel Department staff contacts those minorities and females.

- (2) Normal recruitment procedure for promotional examinations is essentially one of publishing the Bulletin and distributing it according to the mailout list, except where there is underrepresentation of minorities or females and then a special effort is made to encourage persons in those categories to examine on a promotional basis.
- (3) It takes about one week for Bulletins to reach employees at outlying locations. A goal of the percentage of applicants to be of the various minority groups is established. A weekly report shows the percentage of minority applicants. If the goal is not being reached, staff makes more of an effort to reach more applicants. This is true for both open and promotional exams.
- (4) For open examinations the process is somewhat different. Staff does a workforce analysis to determine the minority and female representation in the class, determines where to best seek applicants, what sources are best for various minority groups, whether to use direct advertising or not. In the case of minority recruitment, one method of insuring a greater than usual percentage of minority applications is to advertise only in a newspaper read largely by minorities. Sufficient non-minority applicants are obtained through the routine process of mailing out Bulletins and by responding to those cards filed with the Personnel Department by persons wanting to be notified when an examination is open.

- F. The Examining Division schedules and conducts the examinations, entertains protests, resolves protests, and so forth.
- G. The Civil Service Commission approves the List of Eligibles.
- H. The Department(s) submit Requests for Certification.
- I. The Administrative Services Division provides a listing of eligibles to Departments and notifies the appropriate eligibles to report for interview.
- J. Eligibles are interviewed and appointments made.



The Recruitment Division, which recruits all entry level employees except Police and Fire recruits, and all promotional employees, has fewer employees than does Police and Fire Selection. It does not proceed with as much innovation as it might. Problems in attracting clerical employees are discussed elsewhere in this report. In general, efforts are not anticipatory. It appears that the only "special" efforts routinely made appear to be maximizing applications by minorities and women, and for recruiting for General Manager-level positions.

The measure of success of the Recruitment Division should be the number of applicants available to be examined.

The Recruitment Division should continue its routine process for acquiring applicants for those classes where there is no problem in attracting qualified applicants. The Division should project needs, assess the state of the labor pool, and work with organizations and institutions to improve the availability of qualified employees for those classes where shortages of qualified applicants traditionally occur and/or those for which there will be unusual recruiting competition.

As is true throughout the selection process, the orientation of the Recruitment Division appears to be more toward rule enforcement than in delivering the product - qualified employees who are available for employment. If some of the innovation and energy used in Police and Fire Selection, and in Affirmative Action efforts in general, were applied to selection in general, the success of the overall program should be improved.



## EXAMINING DIVISION

The Examining Element of the Personnel Selection Program consists in large measure, of the Examining Division, which is responsible for preparing bulletins and examinations for those open and promotional tests given to candidates applying for civil service positions with the City of Los Angeles. Other Elements include Classification, Recruitment, and Support. The major activities accomplished by the Examining Division are determining the need for examinations, preparing announcements for examinations, preparing the examinations (which may consist of written test, such as multiple choice tests or essays, oral interviews, performance tests, or physical agility tests), securing interview board members, analyzing and recommending to the Civil Service Commission the disposition of protests against portions of the examinations brought by candidates. Since the last Management Audit of the Personnel Department in 1972, a Validation Unit has been added to the Examining Division to conduct content validation studies in order to ascertain and insure that the examinations given by the City are job related.

## HOW THE EXAMINING DIVISION FUNCTIONS

The stated objective of the Personnel Selection Program of which examining is but one element, is to provide adequate numbers of qualified candidates to meet the City's manpower needs. The Examining Division has attempted to meet these needs by organizing itself into several subdivisions or specialties. For instance, under the direction of a Chief Personnel Analyst, there are five individual specialties, each headed by a Principal Personnel Analyst, who directs a staff that constructs examinations in specialized career areas. One subdivision develops examinations for the administrative/professional classes (accountants, analysts, managers, etc.); another examines candidates in clerical and labor classes; a third for engineering and technical classes; and a fourth for the police and fire classifications. The Validation Unit is the fifth unit.

The above organization, division into areas of specialization, is logical. These areas of specialty allow the examiners in those areas to develop some expertise and



familiarity with a large variety of occupations or classes that have some degree of commonality. Further, it allows for rotation of personnel between units and training for the more demanding positions in this division.

The workload of the various units within this Division is fairly continuous with the typical peaks and valleys of any large operation. The nature of the work is such that there is an ongoing need to develop examinations so that lists of eligible candidates are available to fill vacancies. At any given time, existing lists are expiring; others that have not expired may no longer be viable because a department was unable to find a candidate on an existing list to fill a vacancy, and as a consequence, a new examination for that class must be given. Other examinations are in one of the various stages of the process from the preparation of an announcement bulletin to the adoption of lists by the Commission and the certification of the eligibles to the employing departments.

The sequence of events that give rise to an examination are outlined at the start of this section. The major role of the Examining Division is as follows:

If the class requested for examination is one which the Department has scheduled for content validation, the Validation Unit would conduct an extensive analysis of a representative number of positions in the class which would include duties, responsibilities, job knowledges, abilities, and skills necessary for successful on-the-job performance. A proposed examining outline would be prepared reflecting the weights each of the above have in relation to what supervisors and incumbents believe are necessary for on-the-job success. This analytical work is performed before the examination is prepared.

If this validation study has been conducted or if the class was not on the "critical" classification list (a list compiled by the Department containing classes that are significantly underrepresented) then the Request for Examination would be referred to the appropriate unit in the Examining Division. An exam bulletin would be prepared, a test outline generated, the examination would be prepared. This examination could include a written (depending on the class to be examined, an essay and/or a multiple choice test), an interview, and/or a performance test or a physical agility test.

If the content of the examination were being validated, an extensive and highly structured review of the written



examination would occur after it was given to the candidate group. This review by supervisors and/or managers from the employing departments would identify strengths, weakness, good and bad questions, and determine if the appropriate job knowledges, skills abilities, skills identified in the initial validation study were adequately reflected in the written test. After resolution of the protests that may be brought against any or all parts of the non-validated examinations, the exam would be scored, an eligible list prepared for approval by the Commission, and after receiving another certification request from a City department, another list of eligible candidates would be sent to the department. This process has not materially changed since the last audit although there has been some innovation to shorten the testing process. When previously validated written tests are revised, they are not subject to candidate review and protest. By eliminating this protest, eligible lists can be established more rapidly.

The Examining Division has experimented with different techniques as substitutes for the traditional written-interview examination. One such experiment involved a test that consisted of an evaluation of candidate qualifications from the candidate's application, another involved giving performance tests or demonstrations of job skill where these tests are more practical than paper-and-pencil tests (i.e. Locksmith and Floor Finisher), while other promotional examinations included "ratings of promotability". Some of these efforts have saved time while others were less successful because the results of the examination were rejected by the Commission when the candidates protested. In any event, the fact that experimentation is occurring is a good sign.

## Modifications to Existing Selection Activity

### Job Analysis

The present practice of conducting job analysis for content validation on a class-by-class basis appears to be a reasonable process even though it seems very closely akin to the activities already performed by the Classification Division. Federal legislation regarding content validation and determining the reasonableness of various selection devices by the City requires some degree of documentation. As such, the perspective of the validation effort is slightly different from that of the Classification Division.



However, this Office believes, from an examination of a multitude of current classes and class specifications, there are a number of job classifications with slightly different class titles but which have duties and responsibilities sufficiently similar in nature, require knowledges that appear so similar, that the selection device used by the Personnel Department, for the similar classifications, could and should be the same. Presently, individual classes are tested separately no matter how closely alike they are and as such require separate bulletins, separate Commission actions, the submittal of separate applications by candidates for each examination, require the candidate to take separate tests for each class (some exams have common and unique sections allowing less than the entire examination to be taken), result in separate protest periods, separate lists and separate certifications. This segmentation does not serve the best interests of the City, the candidate group, affirmative action efforts, or the managers with the City.

The process and philosophy guiding validation studies should be expanded so that an evaluation of similar classes can be made by the Personnel Department with respect to the duties, responsibilities, job knowledges, and type of examination required to screen candidates for similar jobs and classifications so that these candidates can be examined with one test. See Recommendation No. 9.

For example, there are a number of entry-level laboring and clerical classifications, each of which are now examined separately. Many of these jobs require little or no previous experience and provide for on-the-job training. While there may be some rationale for giving separate titles, slightly different class specifications, etc., there does not appear to be logical reason why each of these classifications is examined separately, has separate bulletins, etc. If the concept behind job analysis and content validation is broadened, and such analysis indicates a number of classifications have similar skills, abilities, backgrounds, knowledges, etc., then the Department should move to conduct consolidated examinations for those groups or families of classifications. See Recommendation No. 10.

By being able to group families of classifications together for examining purposes, the number of separate examinations that would have to be given would decrease while the number of candidates screened through such consolidated testing would increase. This would be the first step in reducing the workload now carried by the Examining Division and, at the same



time, be another first step in helping to meet a departmental objective.

The examination of a large group of candidates for similar, but different classes, could yield other benefits. If several lists are created from one examination, should any one of those lists prove unusable because candidates on that list are not available for employment, the Recruitment Division could be assigned the task for canvassing the other lists that were generated from the single examination to find a candidate who could fill the existing vacancy. As a consequence, the recruitment effort could compliment the testing activity in an effort to find qualified candidates to fill vacancies in a timely manner. Thus, vacancies in a Department would not have to go unfilled for months while a new and separate examination is given.

### Use of Eligible Lists

The process by which the Department of Personnel and the Civil Service Commission establishes an eligible register or list is basically a screening process. Applications are received, examinations (consisting of written, oral, performance, or physical agility tests) are given and scored. Seniority credit or military credit is added to the average score, thus yielding an overall score for the entire process. These scores and candidate names are then ranked on a list from highest to lowest score. Differences in scores between candidates can be infinitesimally small, as little as 100th of a point. The Department has stressed and emphasized in the past and in the present, the desire to insure that these examinations are related to the job and, as indicated earlier, have developed a validation unit to insure that the examination process does not adversely impact upon minority groups. Examination of studies conducted as part of the City's defense in the Dennison Case, as well as other studies performed by the Department, indicate that the examinations given by the Department have a high correlation to the duties, responsibilities, knowledges, and skills required on the job. While many of the examinations are of the pencil and paper variety, the questions asked are related to the knowledges, skills, and activities of the job. But this does not address the question - Is there any real or significant difference between candidates who are 1, 2, 3, or more points apart?

To the best of our knowledge, there has been no scientific examination of the Charter requirement to rank



candidates by test scores and certify names to departments in the order that they appear on the eligible list. It may be quite inappropriate to continue the Charter mandated ranking or certification process if there is no real or discernable difference between the candidates who are 0.01 to two or three points apart.

Discussions with some members of the Personnel Department and an evaluation of some written material on this general subject tends to indicate to this Office that the type of examinations the City gives are most accurate at determining who is qualified from who is not qualified, but cannot with the mathematical precision of the final test score (1/100th of a point), imply that the number one candidate is any better than the number two or three or four, five, six, seven and so forth if they are separated by only a small fraction of a point. In many examinations, large numbers of candidates, perhaps a dozen or more will be ranked on a list within one point of each other. This Office believes that some type of block or group certification would be more valid.

If the City's examinations cannot differentiate between the candidates scoring within one or two or several points of each other, then the City's procedure and Charter should be revised in accordance with what is an acceptable limit of reliability. We believe that candidates scoring within some upper range of scores or in the highest percentile may be as qualified to be certified to an employing department as would the number one candidate. If this is permitted, then increased flexibility would accrue to a general manager or appointing authority in the evaluation of eligible candidates for a vacancy and the probationary period could assume greater significance in the selection process. The recommendations of this report propose setting certification policy on a case by case basis to allow adjustment to changing conditions.

Another type of problem occurs especially where a broad general class is used, and is disruptive when it happens. Some eligible lists reach the point where a manager believes that no candidate can perform the duties of a vacancy adequately. This contention could be valid given the nature of the examination process and may be one reason for many attempts to circumvent existing lists such as requests for in lieu authority and requests for new classes. Often the result is continuation of vacancies because the Personnel Department will not conduct an examination. A procedure is needed whereby an examination is started upon certification of a department head that an existing



eligible list does not provide adequate candidates for vacancies in that department.

### Evaluation of Performance of Candidates

Under the existing screening/examining system, no candidate performance evaluation is part of the examination. The only indirect involvement of performance is that a candidate, to be included in the group undergoing examination, did complete a probationary period or had prior qualifying experience which provides the minimum experience requirements. Other than that, interview board members are unaware of the candidate performance at the qualifying level, employee initiative in the current position or anything else that could be used to verify the statements by the candidates. Normally, most interdepartmental examinations do not include departmental representatives. As a consequence, each time a candidate goes before an interview board, the entire process can hinge on the verbal skills of the candidate against the judgment of the interview board. The only real test of performance is the probationary period following the appointment of a person from the eligible list. It is during that period of time when a department can determine whether or not the candidate can in fact do the job, and do it satisfactorily.

It is the opinion of this Office that because of the emphasis placed on the screening or examining side of the selection process by the Personnel Department over the years, this emphasis has tended to delude many supervisors into believing that a person who passed a civil service test is qualified and that the performance period and rating is secondary to and less important than the testing process. It is further believed that this over-reliance on the selection or screening process should end. This could be accomplished by adopting a less restrictive certification process as suggested in Recommendation No. 4 and upon adoption of this change providing interview boards with copies of probationary and other ratings (See Recommendation No. 11).

### Interviews

The oral interview is judgmental and is subject to bias. Changes of interview board members from day-to-day precludes continuity and uniform standards. The interview, in theory, is generally considered a questionable selection device. This practice often leads to employee perception of unfairness, or at best subjecting one's career to a game of chance. The process



could be improved by employing former/retired City employees, specially trained as interviewers, to serve on oral boards. At least all candidates could then be evaluated by an interview panel whose members would not change from day-to-day. A system could be devised which would insure against potential conflict of interest for such employees. This concept has been tried in recent months, but results are not conclusive. Another alternative currently used by the Department is to abolish the interview for most entry-level classes not having significant verbal skill needs. The concept of eliminating interviews would become more feasible if the "rule-of-three" certification constraint in the Charter is modified as recommended. The employing departments could, if it received numerous names for each vacancy, conduct an oral interview as it conducts its placement interview.

### Emergency Appointments

In discussion with general managers of City department, a common complaint is that the Personnel Department, notwithstanding the fact that there are no eligible lists for certain classes, will avoid an emergency appointment to fill a vacant position. An emergency appointment involves appointment of someone who has not been tested for the position. The general purpose of such an appointment is to prevent the stoppage of City business if an eligible list is not available. Comments indicate that the Personnel Department is reluctant to permit the appointment of an emergency candidate to a vacancy because they believe it provides the candidate with an advantage in the examining process. Such an advantage would occur when the employee goes before the interview board and discusses the fact that he/she was appointed by a department to do the work that he/she is now being tested for.

Nonetheless, if the Personnel Department does not have a list of eligibles from which a department can choose a candidate or if the candidates that are on the list are unwilling to accept the position with a department, the department has little or no choice but to appoint an emergency candidate, or depending on conditions, allow the work to go undone. Other divisions in the Personnel Department openly advocate the use of emergency appointments to better the affirmative action goals of the department. They quite openly suggest that approval for an emergency appointment would be obtained to better the department's affirmative action goal. The selective use of the



emergency appointing authorization seems to be at odds with the need to insure that necessary work is performed. (See Recommendation No. 7).

Another issue raised by various departments is the fact that the Personnel Department has, in some cases, been unable to conduct an examination and establish a list of eligibles during the life of the emergency appointment. An emergency appointee may occupy a position for not in excess of 240 days. The Department of Recreation and Parks had to lay off a number of Gardener Caretakers and Senior Gardeners as a consequence of an examination requiring in excess of eight months. Employees occupying an emergency appointment are the ones who suffer as a consequence of exams not given in an expeditious manner. The selection process in the City should consider the needs of the employees as well as the departments in expediting examinations for which emergency appointments have been made.



## ADMINISTRATIVE SERVICES DIVISION

The Administrative Services Division has responsibility for internal administrative functions and for support of the selection system. This division performs its responsibilities capably, working with inadequate systems, some of which have never been fully functional. The division relies, especially in its certification process, on a core of experienced, knowledgeable employees. The system suffered a breakdown recently when employees had to be diverted to make necessary computations for CETA layoffs. A period of time ensued where three to four week delays in processing requests for certification were not uncommon. This excessive delay was uncharacteristic, and has since been corrected. The root of the problem appears to have been the necessity to manually compute seniority for layoffs. Layoffs are exceedingly complicated, often involving multiple displacements based on seniority within a class within a department. An automated system for seniority computations is necessary to avoid bringing other vital operations to a virtual halt when layoffs are imminent.

The Department's 1980-81 Budget request contains a request for a systems position, and indicates increased attention to that area. This priority is appropriate, as the information system needs of the Department require definition, and especially in view of the untimely loss of a highly capable employee with unique qualifications. This increased management attention should not be expected to lead to an overnight solution to problems, but represents a feasible step towards solution of pressing problems.

### Multiple Certifications

A significant problem area noted by most departments was that of multiple certifications for Clerk Typist vacancies. An analysis was performed as part of the Management Audit; a related discussion appears under the report section entitled "Clerical Selection".

The name of a successful candidate for Clerk Typist remains on the list of eligibles for a minimum of six months. In mid December 1978, there were at least 242 names on the existing



list of eligibles. Fifteen of the names were listed as "promotional". These "promotional" eligibles were individuals who had worked for the City as Clerk Typists within the past three years and asked to have their names restored to the list in accordance with the recommendation of their previous appointing authority (CSC Rule 9, Section 9.1).

Although Clerk Typist is an entry-level classification, the Personnel Department has an unwritten rule that if an examination for an entry-level position was ever given on a promotional basis, a former employee, even if having been previously appointed from an "open" eligible list, will, have their name entered as a promotional eligible if restored. These promotional candidates or restorations to the list will then be certified first in all subsequent requests for certification during the life of the existing list.

The current certification process involves literally hundreds of names of "eligibles", the majority of which are not viable candidates for vacancies the City is trying to fill.

For example, on December 4, 1978, a multiple certification was mailed by the Personnel Department to 94 eligible candidates to vacancies in the Department of City Planning (one), the Community Development Department (six), and the Municipal Auditorium Department (one). Each of the 94 candidates received three Certification Notices in one envelope. On December 14, 1978, the Personnel Department mailed another multiple certification list to 161 eligible candidates for 57 vacancies in six departments in a total of nine categories. The 161 eligible candidates included those with interview scores down to and including the score of 80.00. At that time there were an additional 68 eligible candidates on the list who had not yet been certified. Interview scores were between 79.50 and 70.00, the lowest passing score. On December 19, 1978, the Personnel Department mailed another single certification notice to 50 eligible candidates for one vacancy in that department.

An analysis was made to determine how many of the eligible candidates on the Personnel Department's Certification List for Clerk Typist could be considered as interested in City employment. Existing records indicate there were approximately 242 qualified individuals eligible for Clerk Typist positions during December 1978. The term "approximately" is used because testing for Clerk Typist is on a continuous basis and there were four test dates in December which resulted in 21 names being added to the list of eligibles. An individual's name remains on



the eligible list for six months and the list is purged at the end of each month of these names that have been on the list for six months unless otherwise extended by the Civil Service Commission.

Of those whose names which were certified on the above four dates in December, only 61 of the 194 individuals notified bothered to report for an interview. The greatest number, 21, responding to any one certification notice was to the Police Department. The Department had 30 vacancies. They hired all applicants who were willing to accept employment and were medically qualified. Eight declined employment offers and three individuals were medically disqualified. In the Department of Building and Safety with one vacancy, 16 of 161 individuals certified responded. Nine declined and the remaining seven were not selected. The Department chose to fill the vacancy with an individual who was returning from maternity leave. One other example is the Animal Regulation Department. Of the 161 individuals notified to appear, only nine did. The Department indicated all nine declined the position.

All appointments are subject to the "rule of three". A department must select one of the three highest ranking eligibles who are willing to accept the position offered. For example, the Planning Department had one vacancy. The top 94 eligibles were certified. Twelve candidates appeared. The top three declined, the fourth highest scoring candidate reporting for interview was offered the position and accepted. The remaining 10 candidates who reported were interviewed but were necessarily "not selected". Under the "rule of three", only the first two of those ten had any opportunity to be considered for the position. Those ten responded to other certification requests and all were ultimately hired. A discussion of the "rule of three" and recommended changes appears in the "Selection Process" section of this report.

Neither the Personnel Department nor the department with a vacancy has any idea how many individuals will respond to a certification. Responses have tended to be very poor, therefore, many names are certified for few vacancies. This low response rate also accounts for the many multiple certifications. All persons interviewed agree that the current system is inefficient. To date, unfortunately, no one has offered a better system. As a result of these 14 certifications processed and efforts to fill the 67 corresponding vacancies during December, 38 vacancies remained unfilled with 20 of those in the Police Department and



14 in the Library Department, nine of the latter were half-time and three were bilingual positions.

Of the 61 individuals responding as a result of these certification notifications, 38 responded only once. Of these 38, 12 were appointed, 18 declined and eight were not selected. Two of the eight were medically disqualified. Of the six reporting twice, two were appointed, two declined both offers and two declined one offer and were not selected on the other instance. Of the nine individuals who responded three times, six were appointed and the remaining three all declined and were nonselected in their three appearances. Four candidates responded four times. All four eventually received appointments. Three individuals responded five times and all three were appointed. One individual responded six times and eventually received an appointment. Only six individuals who were willing to accept employment were not selected. Five of these availed themselves only of one of the three or more certification opportunities each received. Two others who were not selected, were medically disqualified. Both of these had responded only to the Police Department's certification.

Due to the poor response from the candidates on the existing eligible list, post cards were sent to everyone on the list notifying them of removal from the eligible list. If they were still available for employment they were asked to request in writing that their names be restored. Only 17 individuals responded to the 200+ cards that were sent out. As of January 16, 1979, the list which had totalled 274 names had been reduced to 38. This included two promotional restorations and 36 open eligible candidates.

Several conclusions were drawn from this analysis. There is no rationale for giving former City employees a "promotional" advantage when restoring them to an entry-level classification such as Clerk Typist. It is also evident that those who are seriously interested in employment with the City and are certified and respond to Clerk Typist certification notices can be expected to be hired.

The problem of multiple certifications is inherent in the City's "broad class" position classification policy. High turnover and large numbers of vacancies makes a solution difficult within current rules. However, the classification and examination changes recommended in the "Clerical Selection" section of this report should mitigate these factors to a substantial degree.



## CLERICAL SELECTION

The Personnel Department has initiated a study of all City clerical positions. The results of this study have not been released as of this report, but similar concerns are expected to be addressed therein.

The City's clerical positions over the past years have been classified according to the type of skills required. If the position required any typing, it was classified as a Clerk Typist. If it required any shorthand, it was classified as a Clerk Stenographer. If the position required neither typing nor shorthand, it was classified as Clerk. The 1978-79 Proposed Budget contained the following number of clerical positions:

<u>Number</u>	<u>Class</u>	<u>Number</u>	<u>Class</u>
230	Messenger Clerk	-	--
225	Clerk	842	Senior Clerk
1767	Clerk Typist	945	Senior Clerk Typist
324	Clerk Stenographer	558	Senior Clerk Steno- grapher

The clerical function breaks down into the three broad areas mentioned above. Departments traditionally have tended to pay for skills that are not necessarily essential to carry out the duties of the positions in question. Many of the Clerk Typist positions which require an incumbent to possess a typing ability of 45 words per minute have only an incidental need for an individual with some typing familiarity. Others require no typing. The following list of Departments with their distribution of typing and non-typing positions illustrates the problem:

<u>Department</u>	<u>Senior Clerk</u>	<u>Clerk</u>	<u>Senior Typist</u>	<u>Typist</u>	<u>Senior Steno</u>	<u>Steno</u>
Building & Safety	0	1	91	24	31	20
City Clerk	6	5	33	66	7	3
Police	17	3	547	262	74	81
Personnel	0	1	57	42	1	7
Street Maint.	0	0	26	12	11	13
Rec. & Parks	2	1	40	30	15	30

The recent difficulty the Personnel Department has had in recruiting, testing, certifying and appointing typists makes



it mandatory that the former luxury of filling all clerical positions with a typist whether or not that skill was really needed can no longer be rationalized.

The same holds true for stenographic positions. For years, departments believed, with no doubt some validity that if an individual had mastered stenography well enough to pass the City's test they were a "sharper" individual and therefore much sought after for secretarial or receptionist type positions. Whether or not there was any great demand on them to utilize this skill was problematic. As a consequence, many individuals lost this skill through lack of use, while others transferred or quit the City so that they would not lose their stenographic ability. The current classification study should determine where a true need exists for a stenographic ability rather than where a dictating machine might just as well provide a better and more economical alternative.

One suggested solution to expedite and simplify the processing of applicants for entry level clerk positions is noted below. All applicants would take the clerical aptitude test on an open basis. This would qualify them for the present classes of Office Trainee, Messenger Clerk, Library Clerical Assistant and Clerk. In addition, all applicants for Typist and Stenographer positions who fail the skills portion of their testing process, having passed the clerical aptitude test, would also qualify for clerk positions if they wished to be considered for them. Those passing would be eligible for any position for which their skills qualify them. At present, the City now loses 50 percent of those applicants who pass the clerical aptitude test because they subsequently fail to qualify on the typing test.

As many of the positions reclassified as Clerk would involve some incidental typing, individuals not having the proficiency to pass their original typing test at the current skill level could prepare themselves to qualify as Typist and thereby be eligible to fill subsequent vacant Typist positions where a bonafide typing skill is warranted.

Further support for this approach appeared when the Audit Team sampled the attrition rate at various stages of the selection process.

The process generally followed by a clerical candidate involves calling the Personnel Department to inquire as to what employment opportunities exist. Such individuals, if they



exhibit an interest, are scheduled by name for an aptitude test normally given within the week they call. Should they appear and pass the aptitude test, they are immediately given the typing test. If they again are successful, they will be interviewed following the scoring of their typing test. The aptitude and typing tests are qualifying only. The candidate's position on the eligible list is based entirely on the interview score. A successful candidate will remain on the eligible list for six months. The following listing covers the Department's recruiting and testing efforts for typists for the last four months of 1978.

<u>1978</u>	<u>Test Days</u>	<u>Scheduled Written</u>	<u>Appeared Written</u>	<u>Passed Written</u>	<u>Appeared* Typing</u>	<u>Passed Typing</u>
Sept.	7	378	165	66	111	52
Oct.	14	826	254	100	115	56
Nov.	6	296	106	43	60	39
Dec.	<u>5</u>	<u>203</u>	<u>81</u>	<u>39</u>	<u>52</u>	<u>25</u>
TOTALS	32	1700	606	248	338	172
			(35%)	(40%)		(50%)

\*Exceeds those passing written due to retesting and to testing of Office Trainees.

The statistical analysis was continued through the certification process. With the assistance of personnel in the Certification Section it was estimated that there were 242 names on the eligible list for Clerk Typist in mid-December. Four certification lists were examined. One contained 19 names, a second was a multiple listing with 94 names, a third with 161 names was also a multiple listing and the fourth had 50 names on it. These certifications issued in December represented 174 different individuals. Fifteen of the total were "promotional" candidates, i.e., former employees who had requested restoration to the list of eligibles. The balance of 159 eligibles were open candidates whose interview scores were 80.00 or higher. There were 68 eligibles on the list who scored between 70.00 and 79.50 and who had not been certified to any of the existing regular vacancies. Of those individuals certified, only 61 appeared. Of these, 28 were eventually appointed. This statistical summary is shown below.



<u>Percentage</u>	<u>Individuals</u>	
100%	242	on Clerk Typist eligible list
72%	174	certified
35%	61	appeared
45%	28*	appointed

\*26 full time and 9 part time vacancies could not be filled.

Restructuring this table of percentages has been done on the basis of 100 appointments. This allows the use of whole numbers when speaking of individuals. This table tells us for every individual appointed as a Clerk Typist, 125 individuals were scheduled into the processing system.

#### Results of Clerical Processing during December 1978:

	<u>Percent</u>	<u>#Based on appointments</u>
Scheduled for written test	100%	12,571
Appeared for written test	35%	4,400
Passed written test	40%	1,760
Passed typing test	50%	880
Certified to job vacancies	72%	634
Appeared for one or more interviews	35%	222
Appointed	45%	100

The Personnel Department recently instituted an expedited selection process for clerical hiring. This process, combined with the approval of advanced step hiring, appears to have brought about some improvement, but falls short of being a total solution. Much of the problem is due to labor market factors outside the Department's control. The biggest opportunity appears to be in the 50% candidate loss between those passing the written test and those passing the typing test. As indicated, with a change in examination philosophy and appropriate classification changes, the number of available candidates for clerical positions could be expanded greatly and could meet the actual duties of most positions.



## CLASSIFICATION

Position classification as practiced in the Personnel Department is performed according to established rules. The Classification Division attempts to provide a reasonable degree of service to operating departments with the manpower available to the Division. The classification function recently has not enjoyed a high priority in the Department and available personnel has fluctuated based on other departmental demands. Frequent personnel transfers and reassignments have created frustrations for operating departments in that they have had to spend time familiarizing new classification analysts with their continuing problems and needs.

The City in reality has had two classification systems: One for salary determination and the other for examining candidates for employment and promotion. This situation is evidenced by Section 100 of Article IX of the City Charter, which reads as follows:

"Section 100. The Board of Civil Service Commissioners shall establish classes for all offices and places of employment mentioned in Section 111 of this Article with reference to the examinations herein provided for."

Section 111 of Article IX referred to above reads as follows:

"Section 111. The provisions of this Article shall apply to all departments, divisions and offices of the City government including therein all employees of the City, except..."

A list of positions excepted or exempted from the provisions of Article IX then follows.

The advent of Department of Water and Power DDR's and City paygrades has made Section 100(c) of the City Charter inapplicable as a determinate for establishing the commonality of positions for classification purposes. Section 100(c) reads: "(c) the same schedule of compensation may be made to apply with equity." Classes with paygrades may now have two or more schedules of compensation.



The City Administrative Officer has had the responsibility for recommending salary schedules to the Mayor and City Council or negotiating such matters with bargaining units. The CAO has also been given the responsibility for recommending the establishment of pay grades within a classification, determining their distinguishing features, approving the methods followed in advancing persons from one paygrade to another and periodically reviewing the utilization of positions allocated to pay grades.

The classification of the duties of a position follows the initial step in budget formulation of program determination and design and selection of the positions necessary to carry out the approved program. A supervisory and administrative hierarchy is determined by function and position design as well as salary relationship. This organizational structure and the financial commitment to carry out established programs are normal concerns of the City Administrative Officer. This Office also has the responsibility for the employee relations activities of the City including the responsibility for conducting the "meet and confer" process as management's representative in negotiations with the City's certified bargaining units. The classification of a position or establishing a class of positions has a major effect on a bargaining unit and the goals of a "meet and confer" process. Transferring the position classification function to the City Administrative Office should bring to an end the long history of employees and employee groups shuttling back and forth between the Personnel Department and the City Administrative Office. Historically, the one states that the matter is not one of classification while the latter has indicated that the concern is properly one of classification and not salary. Salary matters have either been faced head on as salary increases or less obtusively as reclassifications to higher paying classes.



## POLICE AND FIRE SELECTION

The Police and Fire Selection Unit is responsible for attracting qualified applicants for training as Police Officers and Firefighters. Much of the effort of this Unit is directed toward Affirmative Action recruiting to comply with the Consent Decree for the Fire Department, and to voluntarily achieve similar minority recruitment goals for the Police Department, which is not under a Consent Decree.

Because there is a law suit against the City involving the procedures used to comply with the Consent Decree, we will limit discussion to the rather extraordinary efforts made to recruit minority and female police officers. The extent to which the Police and Fire Selection Unit goes to ensure the improvement of representation by minorities and females in the Police Department may be understood by the following summary of activities for recruiting Police Officers, bearing in mind that the obvious advantage of being in Group I is preferential entry into training:

- a. The Personnel Department issues a Bulletin for Police Officer candidates. Notices are sent to all who have filed requests with the Personnel Department, as well as to those on the usual distribution list. The current Bulletin, approved by the Civil Service Commission on May 4, 1979, indicates in one paragraph headed First Group, that Police applicants who want to be considered in Group I should appear in person or have someone appear for them with an application at City Hall South on Saturday, June 2, or Sunday, June 3. Applications received by mail will not be included in Group I.
- b. Another paragraph headed Second Group, informs those who want to be considered in Group II to appear Monday, June 4, through the end of the filing period, June 15, and that mailed applications will be accepted. Below that paragraph, not below the "First Group" paragraph, there is an indication that while all will be considered, Group I applicants will be appointed to Recruit Training Classes first.



- c. The Personnel Department gives the Police Department the names of minorities and females who were mailed Bulletins. Police Department personnel telephone the minorities and women and encourages them to apply in Group I.
- d. The Personnel Department places advertisements only in papers primarily read by ethnic minorities and other recruitment efforts are made only in the minority areas. From 200 to 500 persons per week respond to the recruiting efforts - 80% Minority and Female.
- e. The Police Department conducts physical training for female candidates.
- f. The Personnel Department sends notices of the examination to all qualified applicants.
- g. The Police Department sends a letter or telephones all Minority/Female applicants encouraging them to show up for the exam.
- h. Written qualifying examinations are given to Group I applicants.
- i. The Oral examination is given to Group I applicants who passed the qualifying written examination. The oral examination is weighted 100%. Minorities and females make up 60-65% of Group I applicants, about 51% of the resulting Eligible List is Minority and Female.
- j. The physical agility qualifying strength examination is given.
- k. The qualifying physical examination, a cardiac stress test, and a background investigation are conducted.
- l. The List of Eligibles is approved, made up of Group I applicants, and appointments to the Academy are made.
- m. Examinations are then held for Group II applicants. Those who succeed become the second (Group II) of the eligible lists. Group II is 70% Caucasian-Male in composition.

The special recruiting efforts are designed to ensure that a disproportionate number of minorities and females are included in Group I as a method of achieving a List of Eligibles which will facilitate appointing of 50+% minorities and females



to attend the Police Academy, for the purpose of avoiding legal difficulties. The obvious feature of the process is to create an advantage for minorities and females to be in Group I, with the majority of non-minority males being in Group II and out of the competition for appointment until Group I has been exhausted.

Inasmuch as the primary purpose of this Unit has evolved into Affirmative Action, it should be combined with the Equal Employment Opportunities Division, discussed below.



## AFFIRMATIVE ACTION

The Personnel Department's Equal Employment Opportunities Division administers the City's Affirmative Action Program under an element of the budgetary program titled, "Employment Opportunities Program"; the element description is as follows:

### Equal Opportunities Element - EB-170102

Administer an Equal Employment Opportunities Program for the City. Research to validate tests and eliminate artificial barriers to entry and upward mobility in City employment; restructure jobs; plan career development and training programs; counsel employees on promotional and career development paths; investigate charges of discrimination in selection and employment procedures; conduct minority recruitment programs and represent the Department with community action organizations; and work with operating departments to develop and implement affirmative action programs.

Staff is assigned from the usual sources, there is no formal training program though the Division does familiarize new employees with the general tasks by assigning reading and by having new members work with experienced staff. Outside seminars are attended occasionally, but are usually found to be outdated and superficial. The supervisory staff members are well qualified professionals, motivated and innovative in their efforts to achieve Affirmative Action goals.

Subsequent to the passage of Proposition 13 and the hiring restriction which reduced the opportunity for increasing the numbers of minority and female employees in the City's work force, the Equal Employment Opportunities Division shifted its emphasis. Concentration is now more directed toward improving representation through removing barriers, changing of job requirements, and on reviewing departmental personnel practices to ensure that such practices are not discriminatory.



The Equal Employment Opportunities Division staff reviews all "need slips" received, which is an in-house term for an appointing authority's request to give an examination, to determine what the minority/female representation is in the class, what the class requirements are, what recruitment efforts should be made, and may make recommendations on how to improve the candidate pool for affirmative action purposes. An example cited was the filling of Civil Engineering Assistant positions in Building and Safety and Engineering. The Personnel Department decided not to examine for that class, but rather to assist the Departments by recruiting persons for employment on emergency appointments. The recruiting effort was directed toward minorities and women. The idea was that the experience gained under emergency appointment might enable the employee(s) to subsequently pass the 100% oral examination for C.E. Assistant with scores high enough to qualify for regular appointments.

The Division is involved in the program for employing handicapped persons. Such persons may be initially hired in the Mayor's Office on an exempt-from-civil-service-procedures basis, and in the class of Occupational Trainee. Employment can be prolonged by emergency appointments as Occupational Trainees in lieu of other positions in City departments, with a goal of the employees ultimately qualifying by examination for regular appointments in other classifications.

While it is necessary to comply with Federal requirements for employing of minorities, women, and handicapped persons, it is questionable whether Affirmative Action constitutes a basis for emergency appointments under Charter Section 109. The practice has at least the appearance of being a convenient circumvention of the Charter when so restricted. Recommendations on this topic appear in another section of this report.

One current effort is the developing of new medical procedures for placing handicapped persons in City jobs. The Affirmative Action Section staff audits jobs to determine how jobs might be changed to accomodate disabled persons. Restructuring of jobs to permit filling higher positions on an in-lieu basis by persons in a lower class has been formally advocated and implemented by the General Manager of the Personnel Department as a means of meeting Affirmative Action goals and providing upward mobility for current City employees. Part of the Personnel Department's procedure for implementing its proposal is to require departments to submit "restructured position descriptions" with the request to employ persons on an



in-lieu basis, as a means of documenting the difference between the two classes and avoiding out-of-class situations.

An alternative which should be considered for the employment of handicapped persons is amendment of the Charter to provide exempt status for appropriate positions. This would be preferable to the extensive and inventive manipulation of the current system.

Formal complaints of discrimination have increased in number, from 48 in 1975-76 to an estimated 79 in 1979-80. Staff indicated that a successful complaint pressed by an employee seems to generate complaints by co-workers and others who are aware of the employee's success. In addition to the formal complaints, the Division receives even more informal allegations of discrimination which require time to resolve. In an effort to minimize the occurrence of complaints, both formal and informal, the Division is reviewing the personnel procedures of City departments to ensure that questionable practices, real or apparent, are removed. A training program is being developed for presentation to top management on "How to Avoid Discrimination Complaints." These efforts and any beneficial results are of course important because of the financial liability the City could incur from discriminatory personnel practices.

The Affirmative Action Section is working on several potential Charter changes. One of those would eliminate the "rule of three" which Affirmative Action oriented persons see as a barrier since minorities and women tend to place lower in the examination process. A provision for broader certification from lists would make it easier to employ females and members of minority groups, as well as more qualified persons for a particular position calling for experience not possessed by the top three eligibles. This measure is discussed in connection with the examining process, and is recommended in this report.

A second Charter change would eliminate the requirement that all candidates desiring to file applications be examined. This has resulted, in some cases, in expensive testing of large numbers of non-viable candidates for classes with few vacancies. This is an administratively sound concept, but has not been adopted by the Council after several hearings.

The Test Research Section, headed by a Personnel Research Psychologist, was formed in 1972 with an IPA grant to conduct test validation studies, primarily related to the Civil Rights Act having become applicable to government agencies. The



studies involved the allegations of cultural bias in testing. Some 150 job classifications, involving 20% of the City's work force, were studied. In year three, the City began to fund the Section and it has continued to be City funded.

The Section has prepared a manual for the Examining Division's use in preparing job related examinations with content validity, i.e., Examining performs an analysis of the jobs covered by the classification, determines the people characteristics required for the work, prepares an examination outline, develops a test, then checks the test against the job analysis.

After the examination is given, subject matter experts in the departments are asked to review the examination to advise as to its job relatedness. Special Examining assistants from City departments have begun to be used for examination preparation.

Although the skills of the Personnel Research Psychologist are used in preparing procedural information for test writers, and from time-to-time providing some training, the internal procedures of the Personnel Department do not involve review of examinations by the Personnel Research Psychologist to determine that test writers have actually achieved an acceptable level of compliance with the procedures intended to produce job-related and valid examinations.

The Test Research Section's work, and staff capabilities, actually relate to several aspects of the Personnel Department's activities. For example, though the job analysis necessary for writing of job-related tests is done by the Examining Division, the Classification Division currently is responsible for determining the proper allocation of work to classes and presumably would be best equipped to perform job analysis. Or if job analysis is done by Examining and the actual work being performed by a large sample of the class differs from the class specifications, then Classification should amend the class specification as well as reviewing the out-of-class aspects of persons in the class performing work for which they were not examined. As noted in another section of this report, the Classification function is recommended for eventual transfer to the Office of the City Administrative Officer.

Because validation involves the entire selection process, including the probationary period evaluations, and because the capability for determining the adequacy of the system



or for suggesting modification to the system to protect the City's interests seem to lie in fully utilizing the professional expertise of the staff of the Test Research Section, a case might be made for clearly broadening the scope of the Section's responsibilities to include some formal sample review work, with reporting to the General Manager as to the findings.



## OTHER ISSUES

### Training and Other Management-Employee Relations Division Functions Background

The Management-Employee Relations Division (M-ERD) is headed by a Chief Personnel Analyst. According to the Organization Chart it is divided into four sections: Employee Development, Labor Relations, Counselling and Clerical.

The Division's activities include employee development (which includes training), unit determination activities, layoff avoidance; outplacement of CETA employees; career counselling; coordination of the student internship program; maintenance of the Personnel Procedures Manual; publication of the bimonthly "Newsletter"; coordination of the Civic Center Evening Classes Program; service as Secretary to the Advisory Personnel Committee; some clerical services to the Advisory Management Council; and coordination of the Career Service Awards Program.

### Mission of the Division

A review of the past organization charts reveals that the Management-Employees Relations Division (M-ERD) was formed approximately 12 years ago out of a division entitled Employee Development. The apparent rationale for the new title was the addition of three positions for "labor relations" and "manpower inventory". Continuing functions included employee development (e.g., training), tuition reimbursement, counselling and placement. The "labor relations" activities expanded for a few years as new employee bargaining units were formed, and then decreased to the present level, which occupies 1.5 positions, a relatively small portion of the Division, and an even smaller portion of the City's total employee relations effort.

The Division continues to be occupied with a mix of many activities. Although the training function now occupies most of the staff time, the great number of other activities has given rise to a perception among M-ERD staff that there is no clearcut mission for the Division and that it has become a "catch-all" for



tasks that management did not know where else to assign. This perception, although not overwhelming, does have an adverse effect on the morale of the staff.

Many of the activities which have been assigned to M-ERD are more closely related to other divisions in the Department, and could be reassigned to those divisions. Such reassignments would have the effect of eliminating the Division, because the remaining employee training and development section would not be sizable enough to occupy a division head full time in the absence of the recently expanded CETA training effort. As each of the activities currently performed by M-ERD is discussed in this Report, alternative locations for each function will be recommended.

#### Employee Training and Development Activities

The Department's employee development (or training) program is in actuality two programs: one for regular City employees and one for CETA employees. The training program for regular City employees consists of the administration of tuition reimbursement, teaching of classes by City trainers, provisions of training expenses for special classes or seminars, coordination of continuous classes (such as reading and stenography) provided through the School District and other institutions, and coordination of the management and mid-management institutes. Budget reductions following passage of Proposition 13 resulted in curtailment of training activities.

While the training program for regular City employees has faced reductions, the CETA training program has been increasing. CETA funds for training of CETA employees to make them employable in the private sector have expanded significantly with the October, 1979 revision of the CETA program. The types of training offered are remedial academic (such as reading), skills training (such as welding or clerical), and job search. Although some classes are taught by M-ERD staff, the vast majority of this training is provided by other agencies through contracts. The role of M-ERD staff is to select contractors (usually through a request for proposal process), draft and negotiate contracts, coordinate the classes and monitor the performance of the contractor.

Training needs of City departments are formally determined each year by means of the Annual Training Survey, on which departments list training programs for the past fiscal year, unmet training needs, specialized training requests,



tuition reimbursement requests for the upcoming fiscal year, and a description of in-house technical training. This Survey forms the basis from which the Training Expense and Tuition Reimbursement funds are budgeted, and it serves as a source document for planning in-house training courses.

Evaluation of training is formally obtained by M-ERD immediately following the close of a training course and two months later. An evaluation form, together with a course outline, is provided to the trainees' supervisor and lists and outlines of courses are sent to department heads so that they can respond from a managerial perspective on how well the training is helping to meet management goals.

### Training the Trainers

With few exceptions most of the employees of M-ERD came to the Division with little or no prior experience in training. As generalists, they did not know how to conduct a training session or teach a class, yet they were expected to do so with minimal opportunity for preparation. A solution to this skill deficiency among the M-ERD staff came in the form of a course provided by the United States Civil Service Commission early in 1979. The course provided the basics on training techniques, how to set up curricula, and practice and critique sessions. All of the staff reported that they felt more comfortable conducting training sessions after having taken the course. At this time, there is no systematic training plan in the Division to train new staff or to acquaint existing staff with new techniques. Like every other operation in the City, in a situation where workload (in this case, requests for training) outstrips capacity of the existing staff, time for in-house training receives a low priority. In the Division whose responsibility is employee training, development of the skills of the trainers and the training coordinators should take a higher priority.

### Career Counseling

An activity which occupies a large amount of staff time is career counseling, which is the provision for information by M-ERD staff to City employees seeking to move from one job series to another. This counseling often requires large amounts of background research of specifications and job bulletins to find a match between the employee's qualifications and the various bulletin requirements. Similar kinds of counseling also occur in the Recruitment and the Equal Employment Opportunities Divisions.



These parallel counseling activities, although not necessarily a duplication of effort, could be combined as part of the recommended reorganization of the Department. A logical placement would be the Recruitment Division.

#### Labor Relations Activities

Section 4.822c.(1) of the Administrative Code gives the Personnel Department the responsibility to report and make recommendations to the Employee Relations Board (ERB) concerning the appropriateness of proposed employee representative units. The Management-Employee Relations Division prepares the unit determination reports in coordination with the Classification Division, the City Administrative Officer and the affected department. Although most representation units have already been established, changes to the units are still occurring, requiring some continued activity on the part of the Personnel Department.

In accordance with the Administrative Code provision, M-ERD coordinates training to assist departments in the handling of employee relations matters. The employee relations training currently consists of a course on grievance handling for supervisors, taught jointly by M-ERD staff and CAO staff. The course, which was also presented to management and mid-management staff, has met with approval by all involved parties.

For many years the appropriateness of placing the unit determination activity in the Personnel Department has been questioned. The City's management representative for all aspects of labor relations except unit determination is the City Administrative Officer, as delineated in Administrative Code Section 4.870. Although the M-ERD staff has been performing its unit determination (and labor relations training) activities in a competent manner, their placement in a department separate from the major thrust of the City's employer-employee relations activity causes a condition of duplication of effort. After the M-ERD staff completes a unit determination, it must be reviewed by the CAO staff. With no additional staff, the CAO could prepare the unit determination findings, thus freeing the M-ERD staff for training activities. Further duplication occurs in the attendance of both CAO staff and M-ERD staff at Employee Relations Board (ERB) meetings. The CAO staff must attend all ERB meetings by virtue of the CAO role as management representative. The Personnel Department staff attends ERB meetings to present unit determination findings. Such findings could be presented by CAO staff already in attendance at the ERB



meeting, freeing Personnel Department staff from having to attend ERB meetings. With the unit determination workload at such a low level, it is doubtful that maintaining a staff with an expertise in that type of work within the Personnel Department represents the best use of the City's resources, when the same expertise is available on a much larger scale among the CAO staff.

Assigning the unit determination function to the Personnel Department is also of dubious value from the standpoint of maintaining the strongest position possible on the management side of the bargaining table. Although unit determination is now a very small part of the collective bargaining process, its location in M-ERD places the Personnel Department in a relationship with the unions, which is out of context with everything else the Department does. The very nature of employee relations requires that the management representative be involved with bargaining strategies. To have an aspect of collective bargaining i.e., unit determination administered by an entity not concerned with those strategies keeps the management side of the bargaining table from being as unified as possible.

The Employee Relations Task Force, which was created by the Council in 1977, recommended that the responsibility for unit determination be transferred from the Personnel Department and placed under the control of the City's management representative. That recommendation was not adopted by the Council partly because of the view expressed by Department management that unit determination is related to classification of employees, which is the Charter responsibility of the Personnel Department. However, that responsibility is limited to classification for job requirements and for examination, not for groupings for collective bargaining activities. Although the unit determination function could operate effectively as part of the Classification Division, it has been and now is in a separate division from the Classification Division, and is not in the flow of the classification function. The only contact the "labor relations" staff in M-ERD has with the Classification Division is to occasionally obtain some technical advice. Such technical advice could be obtained no matter what department the unit determination function was placed in. Therefore, in order to eliminate duplication of effort and to strengthen and unify the overall employee relations activity for the City, the small "labor relations" function of unit determination should be consolidated with the larger employee relations unit in the CAO.



## Counseling/Personnel Procedures Manual/Layoff Avoidance

One position of Senior Personnel Analyst is assigned to the function labeled "Counseling" on the organization chart. The kind of counseling provided through this position is personnel management guidance. Although some of the calls are received from employees who do not understand City procedures or who have a complaint about treatment in their departments, most of the questions come from management staff and personnel officers regarding technical problems associated with Civil Service Rules or the Personnel Procedures Manual.

During the months following passage of Proposition 13, and continuing to the present, most of the time of the Counselor position has been devoted to assisting departments with placement services for layoff avoidance, including placement of CETA employees into regularly funded positions. The position reviews all City certification requests in order to recommend referrals of incumbents who would be subject to layoff.

Other activities included in this function are review of transfers and reversions and maintenance of the Personnel Procedures Manual.

Although these functions have been in M-ERD for a number of years, they could just as easily be performed in the Administrative Services Division. That Division operates most of the functions contained in the Personnel Procedures Manual, and would be well suited to keeping it current. The Administrative Services Division also has a unit devoted to layoff activities; and, as the Division responsible for processing certifications, it would be a suitable site for handling all layoff avoidance and employee transfer activities.

### Student Program

Some minor programs which occur during the year are coordinated by M-ERD staff. These programs include girls' day and boys' day in government, and student internships. The employees who perform the coordination activities are persons who are normally assigned to training activities. They report that work on these and other non-training activities diverts them from their regular assignments. It is difficult to see the relationship between these students (who are not City employees) and training, employee development or labor relations. These



kinds of assignments, which involve potential future City employees, would be better performed by the Recruitment Division.

#### Name of Division

Part of the morale problem discussed earlier in this section of the Report has its roots in the Division's name. The main activity in the Division is now training, or more broadly speaking, employee development. The City has a commitment to employee training, as expressed in Section 4.311 - 4.316 of the Administrative Code, which places responsibility for coordinating training upon the Personnel Department. In order to underscore its leadership role in training the Division's name ought to reflect the training function, rather than reflecting a function in which it operates in a subsidiary rather than in a leadership role. While it is recommended in this Report that the Management-Employee Relations Division be eliminated in the course of substantial Departmental reorganization, it is understood that such change could take some time to implement. Pending such reorganization, a suggested interim name for the Division is the "Employee Training and Development Division" (similar to its name of 12 years ago). Such a name change would bring about a side benefit of replacing the acronym M-ERD (which is often pronounced with humor or disrespect by many City employees) with a more neutral acronym, ETD, which would elicit a greater respect for the Division, both from within and without.



## THE COMMISSION SECRETARY

Charter Section 75(b) provides authority for the Civil Service Commission to appoint a secretary. The duties of the secretary, according to Section 75(d) includes "... keeping a record of the proceedings and transactions of the board, specifying therein the names of the Commissioners at all meetings and giving the ayes and noes upon all votes. He shall post and publish all orders, resolutions and notices which the board shall order to be posted or published, and shall perform such other duties as are herein, or may be by order of the board, imposed on him."

The Secretary of the Civil Service Commission is an employee of long standing in the Personnel Department, professional and providing a well managed flow of communications to and from the Board and its individual members, scheduling and staffing the Hearing Officer function, and fulfilling the numerous related responsibilities of the position.

The Secretary attends Commission sessions, provides background and precedent information to the Commission, assures that all agenda items are clearly acted upon by the Commission, and issues minutes in a timely and accurate fashion. The current secretary's public demeanor and competency in the course of Commission meetings indicates she is knowledgeable as to past practices, rules, legal opinions previously rendered and enhances the image of the Commission.



COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA)  
PROGRAMS DIVISION

The City is a prime sponsor under the Comprehensive Employment and Training Act and employs persons through two basic programs--job training and public service employment. The former is administered by the Community Development Department as an outwardly oriented program (CETA-other). The latter is administered by the Personnel Department because it was initially an inwardly oriented program for public service employment with most of those employed being employed in the City departments, the school district, and other local governmental agencies (CETA-PSE).

Until mid-1977, the CETA-PSE funds received by the City were used for employing persons in City departments, and in other local governmental agencies. With the increase of funding in 1977, the number of CETA employees expanded from 3,400 to 12,600 and outside involvement increased from 12 subgrantees to 180 subgrantees and work-site agencies, of which 171 were private nonprofit organizations.

Thus, during that 1977 period of increased federal funding the orientation of the City's public service employment program turned outward yet the Personnel Department continued to administer funds received under "CETA-PSE" even though the process and the recipients became more similar to those for "CETA-Other" programs administered by the Community Development Department through contracts with private and private non-profit agencies.

The Personnel Department's role changed to a nontraditional and somewhat duplicative role. While classification, allocation, recruitment, examining and placement of CETA employees in the City departments continued, the Department soon became involved in contract-writing, RFP's, proposal reviews, contract monitoring, program evaluation, etc., and began to use the Labor Market Analyst (now Grants Management Specialist) series staff for the externally oriented work, a classification which had initially been developed for the Office



of Training and Job Development, now a part of the Community Development Department.

The question arises as to why the Personnel Department should be involved in the external aspects of CETA. While the Personnel Department has an obvious role in administering the employment of persons by the City under CETA, the external and programmatic aspects of channeling funds outside City government to private nonprofit agencies appears to be functionally more appropriate to the Community Development Department.

In 1976 the Council and the Mayor created the Community Development Department, and among the purposes of the department was "...conducting programs designed to improve the qualification of disadvantaged and unskilled persons for regular employment in the public and private sectors; provide for community organization-operated programs in the various communities of the City; ...and, in general, initiate and, with the Mayor's and Council's approval, implement remedial programs to enhance the physical and social conditions of the communities..."

The impetus for creating a Community Development Department was to have a single department capable of concentrating grant resources on the solving of problems in disadvantaged communities. That element of the Department responsible for administering the job training program funded under "CETA-other" is the Training and Job Development Division, which includes organizational elements similar to those of the Personnel Department's CETA Programs Division, which performs similar functions.

We now have two City departments (Personnel and Community Development) administering grant funds from the same source (Department of Labor) to many of the same community organizations by separate contracts, and with two accounting staffs, two monitoring staffs, and two evaluation staffs. At this time, the funding is from different titles of the same CETA legislation.

Both departments use the same type of data for deciding the distribution of funds to Labor Market Planning Areas, both solicit proposals, both go through a staff evaluation process, followed by review by the Proposal Review Committee of the Los Angeles City Job Training and Development Advisory Board, and then through the Grants, Housing and Community Development Committee, the Council and the Mayor, followed by formal



execution of contracts, requisitioning and issuing of funds, project monitoring, project evaluation, contract renewal, etc.

We have no criticisms to make of the Personnel Department's performance in administering the public service employment program. On the contrary, the staff is well motivated and well managed and has, over the past several years adjusted to fluctuating workloads and demands with considerable expertise. Nevertheless, while there is more work than the staff of only one of the two involved departments could do alone, it does seem probable that combining of the Personnel staff with the Training and Job Development staff would result in eliminating some duplication and permit some savings of CETA funds. However, the best reason for combining staffs would be the better coordinated and controlled effort which could result from management by one department of an enhanced staff capability for performing a similar function and for interfacing with community agencies. Further, removal of the outwardly oriented CETA function would permit top management of the Personnel Department to concentrate on the basic functions for which the department exists.

A second and complimentary change which it now seems imperative to consider is the phasing downward of the number of CETA employees employed in City departments. Prior to the passage of Proposition 13, many professional public employees tended to accept that municipal government had a role as employer of last resort during times of high unemployment. Since 1970, through EEA and CETA, the City of Los Angeles has filled such a role, employing thousands of persons most of whom were not essential to the municipal government, albeit nice to have, and at a cost to the City because the Federal Government has never paid the full costs of the programs.

The passage of Proposition 13 and the interpretation placed on that event (the taxpayers wanting less, or less costly, government) clearly answered in the negative the question of whether or not the City should serve as an employer of last resort. If the Federal Government paid the full bill and did not place limits on the flexibility of local government to manage municipal funds it might continue to be workable for the City to employ great numbers of CETA workers.

The reduction of funds available to local government following passage of Proposition 13 also resulted in increased demands for "more productivity". While efforts are being made to improve productivity, some management officials have candidly pointed out that the infusion of CETA employees into departments



in excessive numbers removed both the need and the opportunity for high quantity productivity. Further, recognizing that many CETA employees are persons who lost their regular employment due to economics, others were from the chronic unemployables and their presence, shortage of supervisors and the attendant disciplinary problems have tended to cause deterioration of the quality and quantity of work produced by regular employees.

The new CETA legislation is targeted toward persons even more disadvantaged than those employed in the past. It may be anticipated that more training and supervision will be required, that less productivity will result, all at a time when reduced regular City forces should be working toward more productivity and with as little distraction as possible.

One answer to the dilemma of how to maintain a stable and professional City work force while helping the unemployed is to serve the social and employment needs by channeling more CETA money to jobs outside municipal government. The City would be freed of the federal restrictions and be able to manage its finances based on municipal priorities, and at the same time jobs would be created for the unemployed in the private non-profit agencies.

It might even be possible to channel funds to private non-profit agencies to perform some supplementary services performed by City forces, i.e., park maintenance, stocking library shelves, etc., however, the legal issues would have to be explored. Regardless of what the CETA funded employees do outside City government, the City should take steps to discontinue indirect subsidizing of the CETA program and to regain the legal authority to budget City funds according to the needs of the City without being severely limited by having to make budgeting decisions to avoid layoff of CETA employees.

#### IMPLEMENTATION

The recommendations of this report propose many fundamental changes to the Personnel Department and the system under which it operates. Upon approval of the recommendations, including Charter changes, it is quite likely that the organization and classes of positions necessary to deliver personnel services will differ from the recommendations of the "Organization" section of this report. The final recommendation recognizes that the General Manager should respond to the changes in duties and role by adjusting resources accordingly.



#### ADDENDUM

A discussion draft of this report was delivered to the General Manager on December 6, 1979, requesting a reaction to the content and recommendations of the audit. Discussions with the General Manager led to our decision to release the report as drafted. The Department has some non-specific disagreements with the report.



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